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IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

UNITED VAN LINES, LLC
Plaintiff

V. \$ C.A. NO. A-05-CA-961 LY

EMEKA UCHENDU and \$

NEW ERA TECHNOLOGIES, MD, \$

INC. \$

Defendants \$

DEFENDANTS' AGREED MOTION TO WITHDRAW AND SUBSTITUTE COUNSEL

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW EMEKA UCHENDU and NEW ERA TECHNOLOGIES, MD, INC. ("Defendants"), Defendants in the above-styled and numbered cause, file this agreed motion and move the Court for an order allowing The Law Office of Aaron Charles de la Garza to withdraw as attorney of record for Defendants and to substitute The Coburn Law Firm as counsel of record for Defendants, and in support thereof would respectfully show the following:

I.

This motion is made upon request, approval and consent of Defendants.

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Defendants move that The Law Office of Aaron Charles de la Garza, by and through Aaron Charles de la Garza, State Bar Number 24028282, 400 West 15th Street, Suite 300, Austin, Texas 78701, (512) 472-1172, (512) 697-0038 (facsimile) be withdrawn as counsel of record for Defendants, and that The Coburn Law Firm, by and through Nathan Coburn, State Bar Defendants' Agreed Motion to Withdraw and Substitute Counsel

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Number 24045669, 100 Congress Avenue, Suite 2000, Austin, Texas 78701, (512) 474-2090, (512) 474-2089 (facsimile), be substituted as counsel of record for Defendants, effective immediately.

III.

This motion is not sought for delay but instead is made with the consent and approval of Defendants and Plaintiff.

IV.

Coursel for Plaintiff agrees to this Motion, as reflected by his signature below.

WHEREFORE, PREMISES CONSIDERED, Defendants request that the Court grant this Motion to Withdraw and Substitute Counsel, and for such other and further relief, at law and in equity, to which Defendant may show itself justly entitled.

Respectfully submitted

marles de la Garza Texas Bar No. 24028282 Law Office of Aaron Charles de la Garza 400 West 15th, Suite 300 Austin, Texas 78701 (512) 472-1172 (phone) (512) 697-0038 (facsimile)

ATTORNEY-IN-CHARGE FOR EMEKA UCHENDU and NEW ERA TECHNOLOGIES, MD, INC.

Defendants' Agreed Motion to Withdraw and Substitute Counsel

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by Geantte Shew

AGREED AS TO FORM AND SUBSTANCE:

HENRY ODDO AUSTIN & FLETCHER, P.C. 1700 Pacific Avenue, Suite 2700 Dallas, Texas 75201 (214) 658-1900 (phone) (214) 658-1919 (facsimile)

By:

Vic Henry

Texas Bar No.09484250

ATTORNEYS FOR PLAINTIFF

LAW OFFICE OF AARON CHARLES DE LA GARZA 400 West 15th, Suite 300 Austin, Texas 78701 (512) 472-1172 (phone) (512) 697-0038 (facsimile)

By:

A con Charles de la Garza Teras Bar No. 24028282

COBURN LAW FIRM 100 Congress Avenue, Suite 2000 Austin, Texas 78701 (512) 474-2090 (phone) (512) 474-2089 (facsimile)

By:

Nathan Coburn

Texas Bar No. 24045669

Defendants' Agreed Motion to Withdraw and Substitute Counsel

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AGREED AS TO FORM AND SUBSTANCE:

HENRY ODDO AUSTIN & FLETCHER, P.C. 1700 Pacific Avenue, Suite 2700 Dallas, Texas 75201 (214) 658-1900 (phone) (214) 658-1919 (facsimile)

By: Vic Henry Texas Bar No.09484250

ATTORNEYS FOR PLAINTIFF

LAW OFFICE OF AARON CHARLES DE LA GARZA 400 West 15th, Suite 300 Austin, Texas 78701 (512) 472-1172 (phone) (512) 697-0038 (facsimile)

By: Aaron Charles de la Garza Texas Bar No. 24028282

COBURN LAW FIRM 100 Congress Avenue, Suite 2000 Austin, Texas 78701 (512) 474-2090 (phone) (512) 474-2089 (facsimile)

By:

Nathan Coburn Texas Bar No. 24045669

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of this *Defendants'* Agreed Motion to Withdraw and Substitute Counsel upon each attorney of record and the original upon the Clerk of Court on this the 11th day of December, 2006, via electronic delivery by the Court's CM/ECF system.

Mr. Vic H. Henry Henry Oddo Austin & Fletcher, P.C. 1700 Pacific Avenue, Suite 2700 Dallas, Texas 75201 (214) 658-1900 (phone) (214) 658-1919 (facsimile)

Mr. Aaron Charles de la Garza Law Office of Aaron Charles de la Garza 400 West 15th, Suite 300 Austin, Texas 78701 (512) 472-1172 (phone) (512) 697-0038 (facsimile)

Bv.

Nathan D. Coburn

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